

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ANURAG KACHRODIA, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

ACADIA HEALTHCARE COMPANY,
INC., DEBRA K. OSTEEN,
CHRISTOPHER H. HUNTER, DAVID M.
DUCKWORTH, and HEATHER DIXON,

Defendants.

Case No. 3:24-cv-01238

CLASS ACTION

Chief Judge William L. Campbell, Jr.

CITY OF FORT LAUDERDALE POLICE
AND FIREFIGHTERS' RETIREMENT
SYSTEM, on Behalf of Itself and All Others
Similarly Situated,

Plaintiff,

v.

ACADIA HEALTHCARE COMPANY, INC.,
DEBRA K. OSTEEN, CHRISTOPHER H.
HUNTER, DAVID M. DUCKWORTH, and
HEATHER DIXON,

Defendants.

Case No. 3:24-cv-01447

CLASS ACTION

Judge Aleta A. Trauger

**MOTION OF THE PENSION FUNDS FOR APPOINTMENT AS LEAD PLAINTIFF,
APPROVAL OF THEIR SELECTION OF COUNSEL, AND
CONSOLIDATION OF RELATED ACTIONS**

IBEW Local 353 Pension Plan, Louisiana State Police Retirement System, and City of Fort Lauderdale Police and Firefighters' Retirement System (collectively, the "Pension Funds") respectfully move this Court, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the "PSLRA"), for the entry of an order: (1) appointing the Pension Funds as Lead Plaintiff; (2) approving their selection of Bernstein Litowitz Berger & Grossmann LLP ("Bernstein Litowitz") and Saxena White P.A. ("Saxena White") as Lead Counsel and Sanford Heisler Sharp McKnight, LLP ("Sanford Heisler Sharp McKnight") as Liaison Counsel for the Class; (3) consolidating the above-captioned securities class actions (the "Related Actions") pursuant to Rule 42(a) of the Federal Rules of Civil Procedures; and (4) granting any further relief as the Court may deem just and proper.¹

This Motion is made on the grounds that the Pension Funds believe they are the "most adequate plaintiff" under the PSLRA and should therefore be appointed Lead Plaintiff. Specifically, the Pension Funds believe they have the "largest financial interest" in the relief sought by the Class in this action by virtue of, among other things, the approximately \$726,339 in losses, as calculated on a last-in, first-out basis, that they incurred on their purchases of 41,681 shares of Acadia Healthcare Company, Inc. common stock between February 28, 2020, and October 30, 2024, inclusive. The Pension Funds also otherwise satisfy the requirements of Rule 23 of the

¹ Due to the statutory nature of the PSLRA's lead plaintiff application process and deadline, it was not possible for the Pension Funds to comply with Local Rule 7.01(a)(1)'s requirement to confer with counsel for opposing movants before filing the instant Motion because the identity of any such movants was not known. Accordingly, the Pension Funds respectfully request relief from the requirement. *See Franchi v. SmileDirectClub, Inc.*, 2020 WL 6479561, at *2 (M.D. Tenn. Jan. 27, 2020) (waiving the requirement to comply with Local Rule 7.01(a)(1) at the lead plaintiff stage of a securities class action because, before the deadline to move for appointment, "[i]t is neither possible for a movant to know whom to contact for a conference nor to resolve the motion without court involvement").

Federal Rules of Civil Procedure because their claims are typical of other Class members' claims and because they will fairly and adequately represent the interests of the Class. Moreover, the Pension Funds are a paradigmatic Lead Plaintiff under the PSLRA because they are sophisticated institutional investors with a substantial financial stake in the litigation, which guarantees effective monitoring and supervision of counsel.

The Pension Funds respectfully request oral argument.

This Motion is supported by the accompanying Memorandum of Law, the Declaration of Kevin H. Sharp and exhibits annexed thereto, the pleadings and other filings herein, and such other written or oral argument as may be permitted by the Court.

WHEREFORE, the Pension Funds respectfully request that the Court: (1) appoint them as Lead Plaintiff; (2) approve their selection of Bernstein Litowitz and Saxena White as Lead Counsel and Sanford Heisler Sharp McKnight as Liaison Counsel for the Class; (3) consolidate the Related Actions; and (4) grant any further relief as the Court may deem just and proper.

Dated: December 16, 2024

Respectfully submitted,

**SANFORD HEISLER SHARP
MCKNIGHT, LLP**

/s/ Kevin H. Sharp

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CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2024, a true and correct copy of the **Motion of the Pension Funds for Appointment as Lead Plaintiff, Approval of Their Selection of Counsel, and Consolidation of Related Actions** was filed electronically via the Court's CM/ECF system. Notification of such electronic filing was served on all counsel of record listed below via the Court's electronic notification system:

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